



PUBLIC NOTICE

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Thursday July 6, 2023

Non-Streamlined Submarine Cable Landing License Applications

Accepted For Filing

The applications listed below have been found, upon initial review, to be acceptable for filing. Pursuant to the Submarine Cable Landing License Act, 47 U.S.C. §§ 34-39, and Executive Order No. 10530, reprinted as amended in 3 U.S.C. § 301, an applicant seeks: (a) the grant of a cable landing license; (b) the modification of a cable landing license; and/or (c) the assignment or transfer of control of an interest in a submarine cable landing license. These applications are not subject to the streamlined processing procedures set forth in section 1.767 of the Commission's rules. 47 CFR § 1.767.

Unless otherwise specified, filings relating to these applications must be received within 14 days of this notice. Ex parte communications between outside parties and Commission staff concerning these applications are permitted subject to the Commission's rules for "permit-but-disclose proceedings." See 47 CFR § 1.1206.

These applications are being coordinated with the Department of State and other Executive Branch agencies pursuant to section 1.767(b) of the Commission's rules and consistent with procedures established with the Department of State. 47 CFR §1.767(b); see Review of Commission Consideration of Applications under the Cable Landing License Act, IB Docket No. 00-106, Report and Order, 16 FCC Rcd 22167, 22192-93, paras. 51-52 (2001) (Submarine Cable Landing License Report and Order); Commission Announces Department of State's Revised Procedures for its Consideration of Submarine Cable Landing License Applications, IB Docket No. 16-155, Public Notice, DA 22-435 (rel. Apr. 19, 2022).

Pursuant to its decision in Review of Commission Consideration of Applications under the Cable Landing License Act, IB Docket No. 00-106, FCC 01-332, 16 FCC Rcd 22167 (2001), and section 1.767 of the rules, the Commission will take action upon these applications within ninety (90) days after release of this public notice, unless it determines that additional time is needed. 47 CFR §1.767.

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice). All applications listed are subject to further consideration and review, and may be returned and/or dismissed if not found to be in accordance with the Commission's rules, regulations, and other requirements.

Modification

Puerto Rico Telephone Company, Inc. (PRTC) and LATAM Telecommunications, LLC (LATAM) (together, the Applicants) filed an application for authority to modify the cable landing license for the América Móvil Submarine Cable System (AMX1 System), SCL-LIC-20120330-00002, to authorize a new segment directly connecting Ponce, Puerto Rico and Santo Domingo, Dominican Republic (Ponce-Santo Domingo Segment) and the proposed cable landing station in Ponce, Puerto Rico. On June 30, 2023, the Applicants filed a supplement that identifies the Applicants' existing mitigation agreements with the U.S. Government and confirms the Applicants' commitment to continue to comply with those agreements.

The Applicants also filed an associated request for Special Temporary Authority (STA) to continue to operate the segment and associated landing points of the AMX1 System connecting Isla San Andrés, Colombia and Puerto Limón, Costa Rica (Isla San Andrés-Puerto Limón Segment) pending the grant of this modification application. See SCL-STA-20230411-00009. According to the Applicants, upon further review of the licensing history for the AMX1 System in connection with the addition of a new segment between Puerto Rico and the Dominican Republic, the Applicants discovered that no request had been filed with the Commission seeking to modify the AMX1 System cable landing license to add the segments connecting Isla San Andrés, Colombia, and Puerto Limón, Costa Rica, and the associated landing points which were constructed in 2022 and entered into commercial service in December 2022.

The Commission granted a cable landing license for the AMX1 System in 2013. See Actions Taken Under Cable Landing License Act et al., Public Notice, 28 FCC Rcd 1323 (IB-PD 2013). The AMX1 System is a non-common carrier cable system that is approximately 17,500 kilometers in length and connects the cable landing stations in Jacksonville and Miami, Florida and San Juan, Puerto Rico in the United States; Puerto Barrios, Guatemala; Barranquilla and Cartagena in Colombia; Fortaleza, Salvador de Bahia, and Rio de Janeiro in Brazil; Puerto Plata, Dominican Republic; and Cancun, Mexico. The AMX1 System was initially deployed with 40 Gigabits per second (Gbps) wavelengths and a design to support 100 Gbps wavelengths.

Ponce-Santo Domingo Segment: The proposed Ponce-Santo Domingo Segment is 1,081.68 kilometers in length and will directly link Ponce, Puerto Rico with Santo Domingo, Dominican Republic. The facilities connecting the AMX1 System to the new segment will consist of 5 sub-segments: (1) Sub-segment S.2.4.1.1 will extend from Branching Unit 5 (BU5) on the original AMX1 System to ROADM 05. It will consist of 2 fiber pairs and will be 51.247 kilometers in length; (2) Sub-segment S.2.4.1.2 extends from ROADM 05 to ROADM 13. The sub-segment will consist of 4 fiber pairs and will be 455.750 kilometers in length; (3) Sub-segment S.2.4.1.3 will extend from ROADM 13 to Branching Unit 13 (BU13) on the original AMX1 System. The sub-segment will consist of 6 fiber pairs and will be 57.872 kilometers in length; (4) Sub-segment S.2.4.2 extends from BU13 to a new cable landing station to be constructed at Santo Domingo, Dominican Republic. The sub-segment will contain 4 fiber pairs and will be 108.581 kilometers in length; and (5) Sub-segment S.2.4.3 will extend from BU13 to a new cable landing station to be constructed at Ponce, Puerto Rico. The Ponce, Puerto Rico cable landing station will connect to the existing cable landing station at San Juan, Puerto Rico, and PRTC will construct the backhaul facilities between the existing cable landing station in San Juan, Puerto Rico and the proposed new cable landing station in Ponce, Puerto Rico. The sub-segment will consist of 2 fiber pairs and will be 408.233 kilometers in length. Each fiber pair has a design capacity of 10 Terabits per second (Tbps). The Applicants expect the new segment to commence commercial service during the second quarter of 2025.

The Applicants assert that in the event of an outage on the existing segment between San Juan, Puerto Rico and Puerto Plata, Dominican Republic, including due to hurricanes and other natural disasters, the proposed new cable landing station in Ponce, Puerto Rico will permit geographic diversity and network resilience between Puerto Rico and the Dominican Republic. In addition, the Applicants state that the new segment will help meet the growth in IP, data, and voice traffic between Puerto Rico and the Dominican Republic.

PRTC will own the proposed new cable landing station in Ponce, Puerto Rico, and the wet infrastructure in Puerto Rican and international waters. Compañía Dominicana de Telefonos, S.A. d/b/a Claro Dominicana (Claro Dominicana), an affiliated company, will own the proposed cable landing station in Santo Domingo, Dominican Republic and the wet infrastructure in Dominican Republic waters. Because Claro Dominicana does not and will not use any U.S. endpoint, the Applicants assert that Claro Dominicana is not required by 47 CFR §1.767(h)(2) to be an applicant to the AMX1 System.

Isla San Andrés-Puerto Limón Segment: The existing Isla San Andrés-Puerto Limón Segment is 747.19 kilometers in length and will directly link Puerto Limón, Costa Rica with Isla San Andrés, Colombia and connect to the rest of the AMX1 System on the west path of the Caribbean region. The facilities on the existing segment will consist of 3 sub-segments: (1) Sub-segment S.4.6.1 extends from Branching Unit (BU11) on the original AMX1 System to Branching Unit 12 (BU12), also part of the original AMX1 System. It consists of 2 fiber pairs and is 380.67 kilometers in length; (2) Sub-segment S.4.6.2 connects BU12 to an existing cable landing station at Isla San Andrés, Colombia. The cable landing station is owned and controlled by Comunicación Celular, S.A. (Comcel). The sub-segment consists of 2 fiber pairs and is 12.71 kilometers in length; (3) Sub-segment S.4.6.3 extends from BU12 to an existing cable landing station located at Puerto Limón, Costa Rica. The cable landing station is owned and controlled by Claro CR Telecomunicaciones S.A. (Claro Costa Rica). The sub-segment consists of 2 fiber pairs and is 353.81 kilometers in length.

Comcel owns the cable landing station in Isla San Andrés, Colombia and the wet infrastructure in Colombian waters. Claro Costa Rica owns the cable landing station in Puerto Limón, Costa Rica, as well as the wet infrastructure in Costa Rican waters. Because Comcel and Claro Costa Rica do not and will not use any U.S. endpoint, the Applicants assert that they are not required by 47 CFR §1.767(h)(2) to be applicants to the AMX1 System.

LATAM will continue to own and operate the cable landing station in Jacksonville, Florida and operate the cable landing station in Miami, Florida, and will have 100% ownership in the United States and U.S. waters. LATAM has a 4.127% voting and ownership interest in the entire AMX1 System. PRTC will continue to own and operate the cable landing station in San Juan, Puerto Rico, and holds a 100% ownership in Puerto Rico and in Puerto Rican waters. PRTC has an 82.454% voting and ownership interest in the entire AMX1 System.

PRTC, a Puerto Rico company and LATAM, a Delaware company, are majority-owned indirect subsidiaries of America Móvil, S.A.B. de C.V., a Mexican holding company whose shares are publicly traded on the Mexican and New York Stock Exchanges.

The following individuals and entities will have a 10% or greater direct or indirect interest in PRTC: (1) Telecomunicaciones de Puerto Rico, Inc. (TELPR), a Puerto Rico company (100% direct equity and voting interests in PRTC); (2) Tenedora Telpri, S.A. de C.V. (Tenedora), a Mexico company (100% direct equity and voting interests in TELPR); (3) Radiomóvil Dipsa, S.A. de C.V., a Mexico company (99.9% direct equity and

—voting interests in Tenedora); (4) Sercotel, S.A. de C.V. (Sercotel), a Mexico company (99.9% direct equity and voting interests in Telcel); (5) América Móvil, S.A.B. de C.V. (América Móvil), a Mexico company (99.99% direct equity and voting interests in Sercotel); (6) Trust No. F/0126 (Family Trust), a Mexico company (as of March 31, 2022, Family Trust holds, for members of the Slim family, a 28.02% direct equity interest and approximately 51.77% of the voting stock of América Móvil); (7) Banco Inbursa S.A., Institución de Banca Múltiple, Grupo Financiero Inbursa, División Fiduciaria (Trustee for the Family Trust), a Mexico company (no equity and no voting interest in América Móvil, and is composed of children of Carlos Slim Helu, who are beneficiaries of the Family Trust (adopts resolutions by the favorable vote of 80% of its members)); (8) Control Empresarial de Capitales, S.A. de C.V. (Control Empresarial de Capitales), a non-public Mexico company that is owned and controlled by the Slim Family Trust through the Trust No. F/0125 (as of December 31, 2022, 16.90% equity interest and approximately 20.82% of voting stock in América Móvil); (9) Trust No. F/0125 (Control Empresarial Trust), a Mexico company (99.9% direct equity and voting interests in Control Empresarial de Capitales); (10) Banco Inbursa S.A., Institución de Banca Múltiple, Grupo Financiero Inbursa, División Fiduciaria, as Trustee for the Control Empresarial Trust, a Mexico company (no equity and no voting interest in América Móvil, and is composed of 21 members of the Slim Family (adopts resolutions by the favorable vote of 80% of its members)); (11) Carlos Slim Helú & Family (Slim Family), all of Mexican citizenship (as of December 31, 2022, 66.68% equity interest in América Móvil and 89.50% of the voting stock in América Móvil through their beneficial ownership held by the (i) the Family Trust; (ii) Control Empresarial de Capitales; and (iii) their direct ownership of shares); (12) Carlos Slim Helú, a Mexican citizen (8.3% equity and approximately 9% of voting stock in América Móvil); (13) Carlos Slim Domit, a Mexican citizen (11.7% equity and approximately 24.9% of voting stock in América Móvil); (14) Marco Antonio Slim Domit, a Mexican citizen (10.5% equity and approximately 23.4% of voting stock of América Móvil); (15) Patrick Slim Domit, a Mexican citizen (5.2% equity and approximately 11.4% of voting stock of América Móvil); (16) Maria Soumaya Slim Domit, a Mexican citizen (9.2% equity and approximately 21.6% of voting stock in América Móvil); (17) Vanessa Paola Slim Domit, a Mexican citizen (9.5% equity and approximately 24.9% of voting stock in América Móvil); and (18) Johanna Monique Slim Domit, a Mexican citizen (6.3% equity and 15.0% of voting stock in América Móvil). No other individual or entity will hold indirectly a 10% or greater equity or voting interest in PRTC.

The following individuals and entities will have a 10% or greater direct or indirect interest in LATAM: (1) Sercotel, a Mexico company (100% direct equity and voting interests in LATAM); (2) América Móvil, a Mexico company (100% direct equity and voting interests in Sercotel); (3) Trust No. F/0126 (Family Trust), a Mexico company (as of March 31, 2022, Family Trust holds, for the benefit of members of the Slim Family, 28.02% direct equity interest and approximately 51.77% of the voting stock of América Móvil); (4) Banco Inbursa S.A., Institución de Banca Múltiple, Grupo Financiero Inbursa, División Fiduciaria (Trustee for the Family Trust), a Mexico company (no equity and no voting interest in América Móvil and composed of children of Carlos Slim Helú, who are beneficiaries of the Family Trust (adopts its resolutions by the favorable vote of 80% of its members)); (5) Control Empresarial de Capitales, a non-public Mexico company that is owned and controlled by the Slim Family Trust through the Trust No. F/0125 (as of December 31, 2022, approximately 20.82% of voting stock and 16.90% equity interest in América Móvil); (6) Trust No. F/0125 (Control Empresarial Trust), a Mexico company (99.9% direct equity and voting interest in Control Empresarial de Capitales); (7) Banco Inbursa S.A., Institución de Banca Múltiple, Grupo Financiero Inbursa, División Fiduciaria as Trustee for the Control Empresarial Trust, a Mexico company (no voting and no equity interest in América Móvil and composed of 21 members of the Slim Family (adopts its resolutions by the favorable vote of 80% of its members)); (8) Carlos Slim Helú & Family (Slim Family), all of Mexican citizenship (as of December 31, 2022, 66.68% equity interest in América Móvil and 89.50% of the voting stock in América Móvil through their beneficial ownership held by the (i) the Family Trust; (ii) Control Empresarial de Capitales; and (iii) their direct ownership of shares); (9) Carlos Slim Helú, a Mexican citizen (8.3% equity and approximately 9% of voting stock in América Móvil); (10) Carlos Slim Domit, a Mexican citizen (11.7% equity and approximately 24.9% of voting stock in América Móvil); (11) Marco Antonio Slim Domit, a Mexican citizen (10.5% equity and approximately 23.4% of voting stock of América Móvil); (12) Patrick Slim Domit, a Mexican citizen (5.2% equity and approximately 11.4% voting stock in América Móvil); (13) Maria Soumaya Slim Domit, a Mexican citizen (9.2% equity and approximately 21.6% of voting stock in América Móvil); (14) Vanessa Paola Slim Domit, a Mexican citizen (9.5% equity and approximately 24.9% of voting stock in América Móvil); and (15) Johanna Monique Slim Domit, a Mexican citizen (6.3% equity and 15.0% of voting stock in América Móvil). No other individual or entity holds indirectly a 10% or greater equity or voting interest in LATAM.

PRTC and LATAM agree to accept and abide by the reporting requirements set out in section 1.767(g) of the Commission's rules, 47 CFR § 1.767(g).

PRTC and LATAM agree to accept and abide by the reporting requirements set out in section 1.767(l) of the Commission's rules, 47 CFR § 1.767(l), for the U.S.-Colombia route, the U.S.-Costa Rica route, and the U.S.-Dominican Republic route.

The Applicants state that they will abide by the commitments contained in an amended and restated National Security Agreement between América Móvil and TELPRI, the ultimate and direct parents of PRTC, and the U.S. Department of Justice (DOJ) (2019 NSA). See Amended and Restated National Security Agreement, dated Nov. 7, 2019, between Alejandro Cantu, General Counsel, America Movil and Enrique Ortiz de Montellano, President & CEO, TELPRI, and David Plotinsky, Principal Deputy Chief, DOJ. The 2019 NSA, which superseded a December 15, 2006, Security Agreement, was entered into in connection with PRTC's Petition for Declaratory Ruling, ISP-PDR-20170823-00002. See Letter from Nancy Victory, DLA Piper LLP (US), to Marlene H. Dortch, Secretary, FCC (Nov. 12, 2019) (available in ISP-PDR-20170823-00002).

The Applicants agree to continue to abide by the commitments and undertakings regarding the AMX1 System contained in the January 23, 2013, Letter of Assurances from Arturo Pellerano Guerra, Treasurer, Latam Telecommunications, Inc., to Richard Sofield, Director, Foreign Investment Review Staff, National Security Division, DOJ and Shawn Cooley, Director, Foreign Investment Risk Management, Office of Policy, U.S. Department of Homeland Security (2013 LOA). The Commission granted the Petition To Adopt Conditions to Authorizations and Licenses submitted by the Departments of Justice (DOJ) and Homeland Security (DHS), conditioned on Latam Telecommunications, Inc. abiding by the commitments and undertakings contained in the 2013 LOA (2013 Petition). See Actions Taken Under Cable Landing License Act et al., File No. SCL-LIC-20120330-00002, Report No. SCL-00137, Public Notice, 28 FCC Red 1323 (IB-PD 2013). Copies of the 2019 NSA, 2013 LOA, and 2013 Petition are included in the June 30, 2023 letter from Edgar Class, Wiley Rein LLP, Counsel for Puerto Rico Telephone Company, Inc. and LATAM Telecommunications LLC to Marlene H. Dortch, Secretary, FCC. This letter may be viewed on the FCC's website through the International Communications Filing System (ICFS) by searching for SCL-MOD-20230411-00008, and accessing the "Other Filings related to this application" from the Document Viewing Area.

Pursuant to Commission practice, the application is being referred to the relevant Executive Branch agencies for their views on any national security, law enforcement, foreign policy or trade policy concerns related to the foreign ownership of the Applicants.

INFORMATIVE**SCL-LIC-20221208-00037**

Seren Juno Network America, Inc.

On June 30, 2023, the Chair of the Committee for the Assessment of Foreign Participation in the United States Telecommunications Services Sector (Committee) notified the Commission that the Committee is conducting an initial review of the application for consent to land and operate the JUNO cable system to assess whether granting the application will pose a risk to the national security or law enforcement interests of the United States, pursuant to Executive Order 13913 (85 Fed Reg 19643 (Apr. 8, 2020)). The Committee shall complete its review of the application before the end of the 120-day initial review period, unless the Committee notifies the Commission of an extension of the 120-day initial review period or the need arises to conduct a 90-day secondary assessment.

SCL-LIC-20230429-00012

Edge Cable Holdings USA, LLC

On June 28, 2023, the Committee for the Assessment of Foreign Participation in the United States Telecommunications Service Sector (Committee) notified the Commission that it is reviewing the application filed by Edge Cable Holdings USA, LLC to land and operate the Anjana submarine cable system for any national security or law enforcement concerns and requests that the Commission defer action on the application until the Committee completes its review.

SCL-LIC-20230511-00013

GU Holdings Inc.

On July 3, 2023, the Committee for the Assessment of Foreign Participation in the United States Telecommunications Service Sector (Committee) notified the Commission that it is reviewing the application filed by GU Holdings Inc. to construct, land, and operate the TPU submarine cable system for any national security or law enforcement concerns and requests that the Commission defer action on the application until the Committee completes its review.

SCL-STA-20230411-00009

Latam Telecommunications, L.L.C.

Puerto Rico Telephone Company, Inc. (PRTC) and LATAM Telecommunications, LLC (LATAM) (together, the Applicants) filed a request for Special Temporary Authority (STA) to continue operating previously unauthorized segments of the América Móvil Submarine Cable System (AMX1 system) pending review of an application to modify the cable license for the AMX1 system (SCL-LIC-20120330-00002; SCL-MOD-20230411-00008) to authorize these segments and associated landing points and add a new segment to AMX1. The unauthorized segments became operational in December 2022 and connect Isla San Andrés, Colombia and Puerto Limón, Costa Rica. The Applicants acknowledge that grant of this STA request will not prejudice action by the Commission on the underlying license modification application and that such STA is subject to cancellation or modification upon notice without a hearing. The Applicants further acknowledge that such STA can be revoked by the Commission on its own motion without a hearing.

REMINDER:

Applicants must certify that neither the applicant nor any party to the application is subject to a denial of federal benefits by federal and/or state courts under authority granted in 21 U.S.C. § 862. See 47 CFR §§ 1.2001-.2003.

By this notice, we inform the public that submarine cable landing license applications that are part of larger transactions involving multiple Commission licenses or authorizations may involve "extraordinary circumstances" as referenced in Review of Commission Consideration of Applications under the Cable Landing License Act, Report and Order, 16 FCC Rcd 22167 (2001) and Rules and Policies on Foreign Participation in the U.S. Telecommunications Market, Report and Order and Order on Reconsideration, 12 FCC Rcd 23891 (1997), paras. 327-28, Order on Reconsideration, 15 FCC Rcd 18158 (2000). Additionally, extraordinary circumstances result where Executive Branch agencies petition the Commission to defer action on an application pending the resolution of potential national security, law enforcement, foreign policy and trade policy issues. Accordingly, these applications may not be acted on within the 90-day review period that the Commission has established as the period of time normally required to reach a decision on non-streamlined cable landing licenses. This notice shall serve as public notice to applicants that, in these circumstances, additional time may be required for Commission review and final action. No additional formal public notice will be provided routinely with respect to specific applications in the event that the applicable review period extends beyond 90 days.